

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00734
Date Received: 1/16/89
Receipt No: 5005956
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. D. PARDUE 208-823-4601
Address: 535 AUSTIN RD.
CAREY, ID 83320

2. Date of Priority: APR 15, 1910

3. Source: FISH CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	22E	27	SE	SW	NE		BLAINE
			SW	SE	SE		BLAINE
		33	SE	NE	SE		BLAINE

5. Description of diverting works:
DIVERSION DAMS, HEADGATES, CANAL, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	22E	27	SW	NE		IRR	15.0

A37-00734

Page 1

Date: 01/16/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	22E	27	NW	SE		IRR	30.0
			SW	SE		IRR	40.0
					Section Acres		85.0
		32	SE	SW		IRR	10.0
			NE	SE		IRR	25.0
			NW	SE		IRR	4.0
			SW	SE		IRR	38.0
			SE	SE		IRR	40.0
					Section Acres		117.0
		33	SW	SE		IRR	10.0
SE	SE			IRR	28.0		
			Section Acres		38.0		
34	SW	NE		IRR	4.0		
	SE	NW		IRR	6.0		
	NE	SW		IRR	15.0		
	NW	SW		IRR	12.0		
	SW	SW		IRR	40.0		
	SE	SW		IRR	7.0		
			Section Acres		84.0		
01S	22E	3	NW	SW		IRR	26.0
			SW	SW		IRR	26.0
					Section Acres		52.0
		4	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
SE	SE			IRR	40.0		
			Section Acres		320.0		
5	NE	SE		IRR	40.0		
	NW	SE		IRR	40.0		

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	5	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				160.0
		10	SW	NW		IRR	10.0
			SE	NW		IRR	4.0
			NE	SW		IRR	15.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			Section Acres				109.0
			Total Acres				965.0

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-02195,12023,12022,12021,00754,00743,00736

14. Remarks:
10.9 TOTAL CFS FISH CREEK WATER USED ON 965 ACRE FARM

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 12/16/1914

<u>POTTER, ET AL</u>		<u>PATTERSON, ET AL</u>
Decree Plaintiff	vs	Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): W.D. Parker By Kevin Ellis Date: 1/16/89

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of Jan 19 89 Teri White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

November 2, 1988

Water Resources Board
State of Idaho

Re: Power of Attorney

Dear Sirs:

This is to inform you that Kevin Ellis of Carey, Idaho has my power of attorney to sign the necessary papers to reserve my water rights.

Sincerely,

W. D. Pardue

W. D. Pardue
4832 Bobbitt Drive
Dallas Texas 75229

Before me, a Notary Public, on this day personally appeared W. D. Pardue, known to me to be the person whose name is subscribed to the above instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal this 2nd day of November, 1988.

Alma S. Pardue
Notary Public in and for the
State of Texas, County of Dallas

My commission expires:

1-31-89

MICROFILMED

FEB 23 1993

Date Received

State of Idaho
Department of Water Resources

RECEIVED

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

OCT 28 1988

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

W D Pardue

Name of Claimant

935 Austin Rd.

Post Office Address

Carey Idaho 83320

City, State, Zip Code

Blaine

County(s) where Place of Use is located

26 Oct

Date Claim Originally Due

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

37-00754 & # 37-00736

37-00743 & claimed by 37-00734

I haven't been able to find some important information

Claimant requests an extension to Nov. 15, 1988.

Kevin Ellis

Signature

manager

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied,

and the filing deadline extended to 11/15, 1988.

Signed this 28 day of October, 1988.

Director or his designated agent

DAVID B. SHAW

FEB 23 1993

Date received

State of Idaho
Department of Water Resources

RECEIVED

OCT 28 1988

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

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I haven't been able to find some important information

Claimant requests an extension to Nov. 15, 1988.

Kevin Ellis

Signature

manager

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied,

and the filing deadline extended to 11/15, 1988.

Signed this 28 day of October, 1988.

Director or his designated agent

DAVID B. SHAW

04/20/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-734

NAME AND ADDRESS: W D PARDUE
535 AUSTIN RD
CAREY ID 83320

SOURCE: FISH CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 04/15/1910

POINT OF DIVERSION:

T01N R22E S27 SESWNE Within BLAINE County

T01N R22E S27 SWSESE Within BLAINE County

T01N R22E S33 SENESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

1.000 CFS

PLACE OF USE:

IRRIGATION Within BLAINE County

T01N R22E S27	NESE	1.3	T01N R22E S27	NWSE	5.8
T01N R22E S27	SWSE	27.0	T01N R22E S27	SESE	8.0
T01N R22E S32	SESW	11.0	T01N R22E S32	NESE	23.0
T01N R22E S32	NWSE	16.0	T01N R22E S32	SWSE	34.0
T01N R22E S32	SESE	39.0	T01N R22E S33	NESW	6.1
T01N R22E S33	NWSW	18.0	T01N R22E S33	SWSW	40.0
T01N R22E S33	SESW	33.0	T01N R22E S33	SWSE	18.0
T01N R22E S33	SESE	22.0	T01N R22E S34	NENE	0.3
T01N R22E S34	NWNE	0.7	T01N R22E S34	SENW	3.7
T01N R22E S34	NESW	7.9	T01N R22E S34	NWSW	23.0
T01N R22E S34	SWSW	25.0	T01N R22E S34	SESW	3.2
T01S R22E S03 Lot 4	NWSW	24.0	T01S R22E S03	SWSW	13.0
T01S R22E S04 Lot 3	NESW	35.0	T01S R22E S04 Lot 4	NWSW	43.0
T01S R22E S04	SWSW	32.0	T01S R22E S04	SESW	40.0
T01S R22E S04 Lot 1	NESE	43.0	T01S R22E S04 Lot 2	NWSE	40.0
T01S R22E S04	SWSE	35.0	T01S R22E S04	SESE	35.0
T01S R22E S05 Lot 1	NESE	40.0	T01S R22E S05 Lot 2	NWSE	40.0
T01S R22E S05	SWSE	34.0	T01S R22E S05	SESE	34.0
T01S R22E S10	SNNW	11.0	T01S R22E S10	SENW	6.0
T01S R22E S10	NESW	14.0	T01S R22E S10	NWSW	40.0
T01S R22E S10	SWSW	40.0			

9/16/05
SCC

965 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 965 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-743A, 37-736, 37-754,
37-12021, 37-12022 & 37-12023.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Water Right 37-734

1

04/20/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

37-734 et al



10

11

TWN: 1S & 1N

RNG: 22E

SEC.



Date: MAY 18, 2005

37-734-743A-736-12021-12022-12023

1-20-04

I met with Doug Surcus, Director of Fish Creek CC and Lawrence Kimball w/m for Fish Creek - to start we went down attached sheets showing who owned the land as per sections then we checked water right & amounts of water. Doug indicated on Photo - 724 Pardue owns land in sections 4-5-32-33, ^{west of west} Censerows owns land where Pivot is in sec 4 & 3

All 3 POD are out of the High line and Fish Creek Canal - in sections 2 & 27 are Fish Cr - sec 33 is High line.

See Photo page 2, land in section 27 - is 37-736 Censerows 1 N 22d sec 27 SW 1/4 NE 1/4

in File 743A SWSat 3.2 Doug & Lawrence think he filed on total of right instead of what he owns, and 743A is Pardue Lawrence advised me he would try and find answer when he & Doug come up to see Steve They will bring w/m water records & legal info

37-12022 not sure will need to ck water records

12021 & 23 the POD on Map appears on

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
01N	22E	27	NW	SE		IRR	30.0	CENSON 52
			SW	SE		IRR	40.0	
			Section Acres				85.0	
		32	SE	SW		IRR	10.0	
			NE	SE		IRR	25.0	
			NW	SE		IRR	4.0	Pardue
			SW	SE		IRR	38.0	
			SE	SE		IRR	40.0	
			Section Acres				117.0	
		33	SW	SE		IRR	10.0	Pardue
			SE	SE		IRR	28.0	
			Section Acres				38.0	
		34	SW	NE		IRR	4.0	
			SE	NW		IRR	6.0	
			NE	SW		IRR	15.0	CENSON 52
			NW	SW		IRR	12.0	
			SW	SW		IRR	40.0	
			SE	SW		IRR	7.0	
			Section Acres				84.0	
01S	22E	3	NW	SW		IRR	26.0	CENSON 52
			SW	SW		IRR	26.0	
			Section Acres				52.0	
		4	NE	SW		IRR	40.0	
			NW	SW		IRR	40.0	
			SW	SW		IRR	40.0	CENSON 52
			SE	SW		IRR	40.0	
			NE	SE		IRR	40.0	
			NW	SE		IRR	40.0	
			SW	SE		IRR	40.0	
			SE	SE		IRR	40.0	
			Section Acres				320.0	
		5	NE	SE		IRR	40.0	Pardue
			NW	SE		IRR	40.0	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	22E	5	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
			Section Acres				160.0
		10	SW	NW		IRR	10.0
			SE	NW		IRR	4.0
			NE	SW		IRR	15.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			Section Acres				109.0
			Total Acres				965.0

Pardue

C 87910V 52

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

A37-02195,12023,12022,00734,12021,00743,00736

14. Remarks:

10.9 CFS FISH CREEK WATER USED ON 965 ACRE FARM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/16/1914

POTTER, ET AL

Decree Plaintiff

vs

PATTERSON, ET AL

Decree Defendant

1/7/04
SCC

37-734 ✓	(PARDUCE)	1.0 cfs
37-743A ✓		1.6 cfs (SPLIT)
37-736 ✓		2.0 cfs
37-754 ✓		1.0
37-12021 ✓	(37-755)	0.4
37-12022 ✓	(37-773)	1.6 (SPLIT)
37-12023 ✓	(37-742)	<u>1.6</u>
		9.2 cfs total

lands owned
Page 2-3

all rights claimed in a common PPU of 965 AC.
all rights from 3 PODs on Fish Creek source
total of 10.9 cfs claimed. (Where did this come from?)

2/1/3 POD
OK

as per Doug
yes pretty close

1. Confirm irrigation of correct POU on GIS.

yes 2. GPS or confirm PODs as shown on GIS.

3. Q: How much of the split from 37-743A? ask WM
" " " " " 37-12022? (AKA-773)
WM lists as claimed!

SEE PAGE 54.
293
8/2/04

Ownership? Eastern parts may now be owned
by JAMES & VICTORIA CENARRUSA (tax lot)
Are the rights split?

1/7/04
su

TIN
R22E

GIS AC
= 861.2
+ 111.9

973.1

28 27

33 34

32 33

3

10

111.9
AC

TAL

TIS
R22E

Pardue

Cyncoosa

T1N
R22E

28 27

33 34

11/29/02
SCC

37 - 734

11/29/02
SAC

37-734

Fish
Cr.

R22E

T1N

T1S

4 3

37-734

11/29/02 sce

BLM
↓

TIN
32 33

- OVERLAP -
SW:
37-2740

TIS
R22E

5

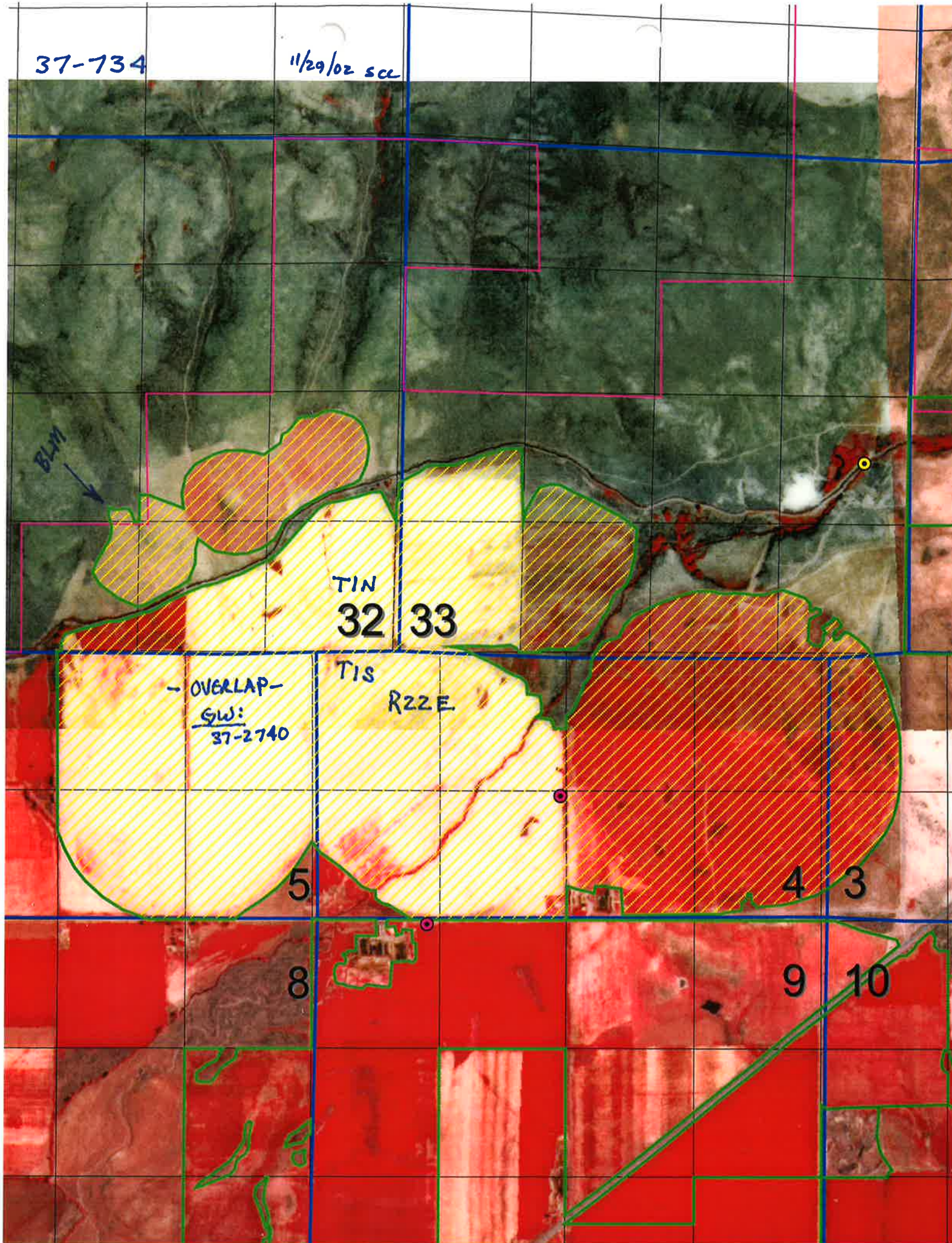
8

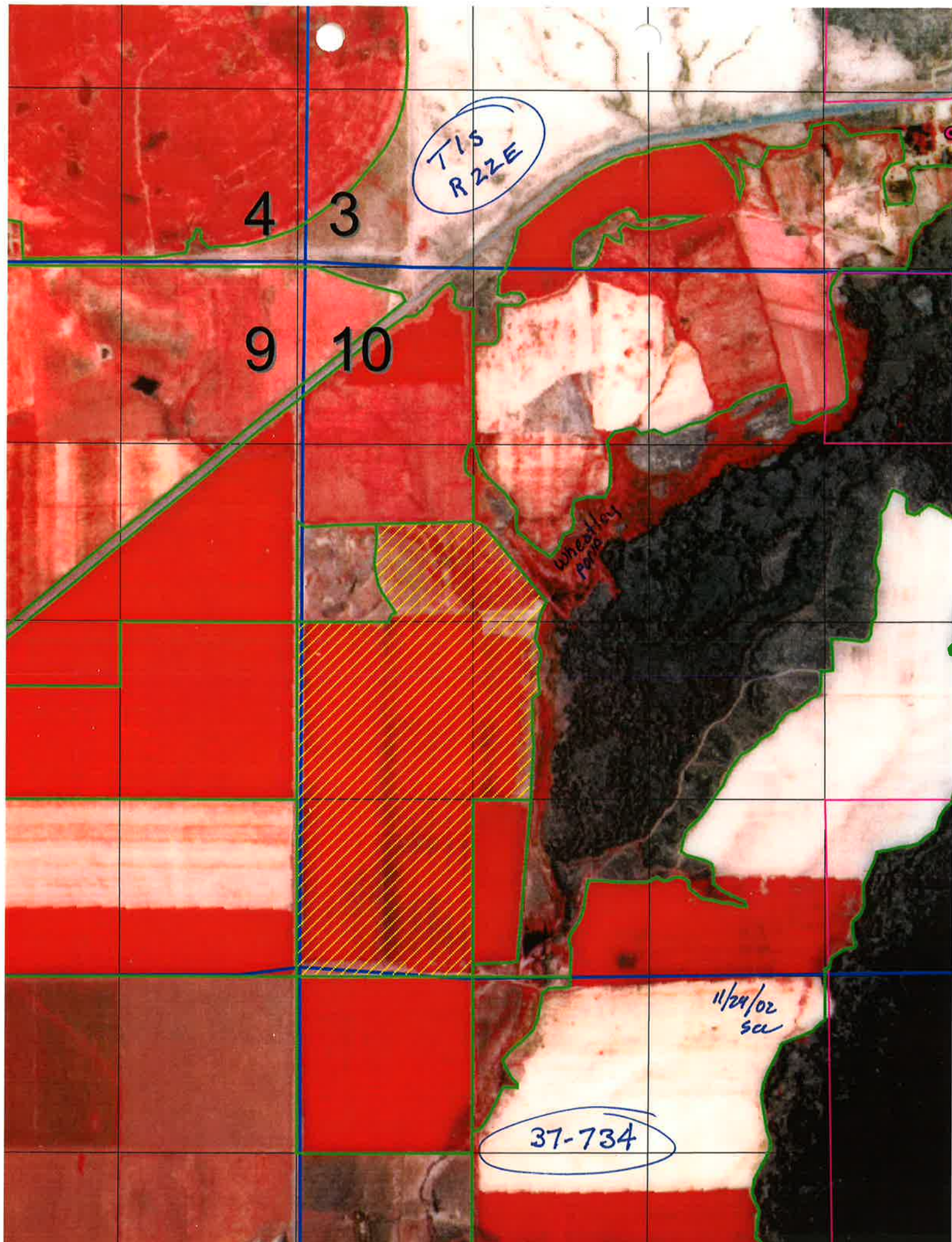
4

3

9

10





Water Right Report 37-734

WATER RIGHT NUMBER: 37-734

Current Owner E A ALLRED

, ID

Basis: Decreed

Status: Active

Tributary

LITTLE WOOD RIVER

Annual Volume

/ to /

1.000 CFS

Total Diversion: 1.000 CFS

FISH CREEK

IRRIGATION

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
01N	22E	34											X	X					
01S	22E	3									X L3					X L2			

Conditions of Approval:

Remarks:

1. General AC. IRRIG. NOT SPECIFIED. FARM = 160 AC.

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-734

Dates and Other Information:

Licensed Date:
Decreed Date: 12/16/1914
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37U
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Joseph R Patterson, et al
Decree Plaintiff: Adelbert L Potter, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits: